

INTERAGENCY AGREEMENT

JUN 26 2001

**BETWEEN THE
INDIAN HEALTH SERVICE
THE
METLAKATLA INDIAN COMMUNITY
THE
ALASKA NATIVE TRIBAL HEALTH CONSORTIUM
AND THE
DENALI COMMISSION**

**FOR DESIGN OF THE NEW ANNETTE ISLAND SERVICE UNIT
HEALTH CENTER AND QUARTERS
METLAKATLA, ALASKA
PROJECT No. 0020-DC-2001-12
IHS No. AK-IA-01-0002**

June 2001

I. PARTIES

This document constitutes an Agreement between the Indian Health Service (a Federal agency) hereinafter referred to as IHS, the Metlakatla Indian Community (a BIA-recognized Tribe and Reservation) hereinafter referred to as Metlakatla, the Alaska Native Tribal Health Consortium (a statewide Tribally managed non-profit health care organization) hereinafter referred to as ANTHC, and the Denali Commission (an independent agency established by the Denali Commission Act of 1998) hereinafter referred to as the Commission.

II. PURPOSE

The Commission in September 2000 approved funding (Resolution No. 00 – 17) for the design of the new Annette Island Service Unit (AISU) Health Center and Staff Quarters in Metlakatla, Alaska. The new facility has been identified for future IHS construction funding. Completing the design of the Health Center in advance of future IHS funding will accelerate the Health Center project schedule once IHS construction funds are appropriated.

The purpose of this Agreement is to identify the roles and responsibilities of the parties in carrying out this project.

III. MUTUAL INTEREST OF THE PARTIES

All the parties are interested in the development, funding, design, construction and long-term operation of a new AISU Health Center and Staff Quarters.

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IV. RESPONSIBILITIES OF THE PARTIES

The IHS shall provide project and contract management for the completion of the design of the new AISU Health Center and Staff Quarters. These facilities must be designed to the IHS health center design standards in order to be eligible for future IHS construction funding. The IHS shall complete an environmental review of this project in accordance with the National Environmental Policy Act (NEPA). Further NEPA instructions are attached to this Agreement.

The Commission shall provide funding direct to Metlakatla and the IHS for the completion of this project.

The ANTHC shall provide technical oversight for Metlakatla in review of design submittals and project development.

Metlakatla shall participate in the design review process. The parties acknowledge that previous to this Agreement that Metlakatla expended local funds for project planning efforts for the new Health Center (soils analysis, surveying, environmental review, etc.). In addition of Commission funding for the design of the AISU Health Center and Staff Quarters, this Agreement also provides for Commission funding to offset the direct project-planning costs borne by Metlakatla.

Listed below are the primary contacts for each party to this Agreement.

IHS Representative (Primary/Alternate)		Metlakatla Representative
Douglas Ott, P.E. Area Facility Engineer Indian Health Service 3925 Tudor Centre Drive Anchorage, AK 99508 907-729-3610 Direct 907-271-4735 Fax dott@oehe.alaska.ihs.gov	Joseph Bermes, RA IHS Division of Engineering Services 2201 Sixth Ave. Seattle, WA 98121 MS/RX-24 206-615-2451 Direct 206-615-2449 Fax jbermes@ess.ihs.dhhs.gov	Rachel Askren Service Unit Director, Annette Island Service Unit PO Box 4398 Metlakatla, AK 99926 907-886-6601 Direct 907-886-6976 Fax raskren@metlakatla.net
ANTHC Representative		Commission Representative
Gary Kuhn Project Engineer Alaska Native Tribal Health Consortium 3925 Tudor Centre Drive Anchorage, AK 99508 907-729-3604 Direct 907-271-4735 Fax gkuhn@anthc.org		Joel Neimeyer, P.E. Project Manager Denali Commission 510 "L" Street, Suite 410 Anchorage, AK 99501 907-271-1459 Direct Line 888-480-4321 Toll Free 907-271-1415 Fax jneimeyer@denali.gov

Representatives shall be responsible for identifying alternative representatives to the other parties in advance of any need, which may arise.

V. APPORTIONMENT OF COSTS

The Commission shall provide funding of \$51,775 to Metlakatla on a schedule of payments agreeable to Metlakatla and the Commission.

The Commission shall provide funding of \$1,248,300 to the IHS in one lump sum payment via the On-Line Payment and Collection (OPAC) System at the Indian Health Service upon execution of this Agreement and the receipt of a letter from the IHS requesting transfer of these funds.

VI. PERIOD OF AGREEMENT AND MODIFICATION/TERMINATION

This Agreement will become effective when signed by all parties. The Agreement will terminate upon the completion of the design of the new AISU Health Center and staff quarters. This Agreement may be amended at any time by mutual consent of the parties. Any party may terminate this Agreement by providing 60 days advance written notice to the other parties.

VII. OTHER PROVISIONS

Nothing herein is intended to conflict with current directives of all the parties. If the terms of this Agreement are inconsistent with existing directives of any of the agencies entering into this Agreement, then those portions of this Agreement which are determined to be inconsistent shall be invalid; but the remaining terms and conditions not affected by the inconsistency shall remain in full force and effect. At the first opportunity for review of the Agreement, all necessary changes will be accomplished by either an Amendment to this Agreement or by entering into a new Agreement, whichever is deemed expedient to the interest of all parties.

VIII. AUTHORITIES

This Agreement is made under the authority of the Economy Act of 1932, as amended, 31 U.S.C. 1535 et seq., the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 450 et seq., and the Denali Commission Act of 1998, as amended, 42 USC 3121. Sections 305(a) and 305(d) of the Denali Commission Act provide the authority for the Commission to enter into Agreement with the IHS for this project.

**Attachment to the Interagency Agreement
Annette Island Service Unit Health Center Design
Metlakatla, Alaska
DC Project No. 0020-DC-2001-12
IHS #AK-IA-01-0002**

NEPA Determination

June 2001

In conjunction with the environmental assessment prepared by the Metlakatla Indian Community and the Finding of No Significant Impact determination by the Indian Health Service (IHS) for the proposed (future) construction of the health care facilities, it is hereby agreed that the following will apply and will be added to the future agreement for the construction of the Annette Island Service Unit Health Center and Staff Quarters:

“In the event of an unforeseen discovery, the Metlakatla Indian Community has agreed to stop the construction activity in the area of the discovery and to notify the appropriate authority and the IHS. In addition, the Metlakatla Indian Community has agreed to notify the appropriate authority and the IHS if a change in the project or project scope occurs which could change this environmental determination or could adversely impact the environment.”

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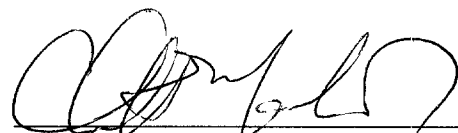
IN THE WITNESS WHEREOF, the parties have subscribed their names,

6-12-01
Date



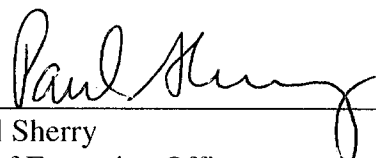
Jeff Staser
Federal Co-Chair
Denali Commission

6/18/01
Date



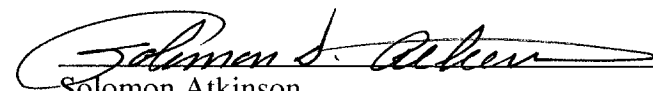
Chris Mandregan, Jr.
Director,
Alaska Area Native Health Service
Indian Health Service

6/19/01
Date



Paul Sherry
Chief Executive Officer,
Alaska Native Tribal Health Consortium

6/21/01
Date



Solomon Atkinson
Mayor,
Metlakatla Indian Community